



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

LHE/PTH  
F. #2016R00505

*271 Cadman Plaza East  
Brooklyn, New York 11201*

September 14, 2020

By ECF

The Honorable Brian M. Cogan  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Daniel Small  
Criminal Docket No. 16-640 (BMC)

Dear Judge Cogan:

The government writes respectfully on behalf of the parties to request that the status conference currently scheduled for Tuesday, September 15, 2020 in the above-captioned matter be adjourned. The Second Circuit has proposed that oral argument on the government's appeal of the Court's September 27, 2019 Order proceed the week of November 30, 2020. Accordingly, the parties respectfully propose that the government update the Court and defense counsel as to the oral argument date once it has been set, and that a status conference then be scheduled.

Respectfully submitted,

SETH D. DUCHARME  
Acting United States Attorney

By: /s/  
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cc: Clerk of the Court (BMC) (by ECF)  
Defense counsel (by ECF)